

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAYMOND WHITBECK,

Defendant.

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Case No. 8:06CR99

ORDER

This matter is before the court on the defendant's Motion for Reconsideration of Order Denying Pretrial Release [54]. The motion is denied.

The defendant's proposed release to a third-party custodian fails to adequately address the court's concerns as to both flight and danger, as the proposed plan does not significantly address the defendant's prior record, which includes four felony convictions and thirteen misdemeanor convictions. In reaching the conclusion of detention, I also considered my findings as set out in the April 13, 2006 Detention Order [42], and the presumption of detention under 18 U.S.C. § 3142(e). I find the defendant both a flight risk and a danger.

IT IS ORDERED:

1. Defendant's Motion for Reconsideration of Order Denying Pretrial Release [54] is denied.

Dated this 13th day of July 2006.

BY THE COURT:

S/ F. A. Gossett
United States Magistrate Judge